

**To:** 'Donohue, Brian (ENRD)'[Brian.Donohue@usdoj.gov];  
otto@demaximis.com[otto@demaximis.com]; rlaw@demaximis.com[rlaw@demaximis.com]  
**Cc:** Maureen.ODeaBrill@klgates.com[Maureen.ODeaBrill@klgates.com]; Mehran, Reyhan  
(NOAA)[Reyhan.Mehran@noaa.gov]; Clay Stern[clay\_stern@fws.gov];  
mark.barash@sol.doi.gov[mark.barash@sol.doi.gov]; Flanagan, Sarah[Flanagan.Sarah@epa.gov];  
Rowley, Laura (ENRD)[Laura.Rowley@usdoj.gov]; Engel, Bethany (ENRD)[Bethany.Engel@usdoj.gov];  
Hurley, Joseph (ENRD)[Joseph.Hurley@usdoj.gov]; 'kate.barfield@noaa.gov'[kate.barfield@noaa.gov]  
**From:** Erickson, Dave (SHB)  
**Sent:** Thur 5/21/2015 3:05:26 PM  
**Subject:** RE: Sample Disposal

Brian,

I just tried to call you to discuss. Please call me or email and let me know a good time for us to talk today or tomorrow.

Thanks,

Dave

**David R. Erickson**  
*Partner*  
Shook, Hardy & Bacon L.L.P.  
2555 Grand Blvd.

Kansas City, Missouri 64108

Main 816.474.6550

Fax 816.421.5547

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**From:** Donohue, Brian (ENRD) [mailto:Brian.Donohue@usdoj.gov]

**Sent:** Tuesday, May 19, 2015 12:31 PM

**To:** Erickson, Dave (SHB); [otto@demaximis.com](mailto:otto@demaximis.com); [rlaw@demaximis.com](mailto:rlaw@demaximis.com)

**Cc:** Maureen.ODeaBrill@klgates.com; Reyhan Mehran - NOAA Federal; Clay Stern; Kate Barfield; [mark.barash@sol.doi.gov](mailto:mark.barash@sol.doi.gov); Flanagan, Sarah; Rowley, Laura (ENRD); Engel, Bethany (ENRD); Hurley, Joseph (ENRD)

**Subject:** RE: Sample Disposal

Dave – Just wondering where things stand regarding the sample disposal questions the trustees have as noted below, especially in view of when the notice suggests samples will be destroyed. The trustees need the information to make an informed decision on whether to agree to the sample disposal. Thanks.

**From:** Erickson, Dave (SHB) [<mailto:DERICKSON@shb.com>]

**Sent:** Wednesday, May 13, 2015 9:50 AM

**To:** Donohue, Brian (ENRD); [otto@demaximis.com](mailto:otto@demaximis.com); [rlaw@demaximis.com](mailto:rlaw@demaximis.com)

**Cc:** [Maureen.ODeaBrill@klgates.com](mailto:Maureen.ODeaBrill@klgates.com); Reyhan Mehran - NOAA Federal; Clay Stern; Kate Barfield; [mark.barash@sol.doi.gov](mailto:mark.barash@sol.doi.gov)

**Subject:** RE: Sample Disposal

Brian,

Rob Law and I are tied up in meetings most of today. We will catch up with each other and get in touch with you about your questions later this week or the beginning of next week.

Best regards,

Dave

**David R. Erickson**

*Partner*

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**From:** Donohue, Brian (ENRD) [<mailto:Brian.Donohue@usdoj.gov>]

**Sent:** Wednesday, May 13, 2015 8:30 AM

**To:** Erickson, Dave (SHB); [otto@demaximis.com](mailto:otto@demaximis.com); [rlaw@demaximis.com](mailto:rlaw@demaximis.com)

**Cc:** [Maureen.ODEaBrill@klqates.com](mailto:Maureen.ODEaBrill@klqates.com); Reyhan Mehran - NOAA Federal; Clay Stern; Kate Barfield; [mark.barash@sol.doi.gov](mailto:mark.barash@sol.doi.gov)

**Subject:** FW: Sample Disposal

Dave, Rob and Bill – Please see the e-mail string below. It would be appreciated if you could address the request for information noted below, namely:

- Sample collection location (latitude/longitude)
- Whether the sample has been analyzed (analyzed or unanalyzed)
- Storage (frozen or refrigerated)
- Container size
- Remaining sample volume

Thank you for your assistance.

Brian Donohue

Senior Attorney

U.S. Department of Justice

202-514-5413

**From:** O'Dea Brill, Maureen [<mailto:Maureen.ODeaBrill@klgates.com>]  
**Sent:** Tuesday, May 12, 2015 5:29 PM  
**To:** Donohue, Brian (ENRD); Erickson, Dave (SHB); Robert Law; [otto@demaximis.com](mailto:otto@demaximis.com)  
**Cc:** Hyatt, Jr., William; Reyhan Mehran - NOAA Federal; Clay Stern; Barash, Mark; Kate Barfield - NOAA Federal; Monsen, Dawn M.  
**Subject:** RE: Sample Disposal

Dear Brian,

Thank you for your email. In order to most efficiently provide the information requested, I am connecting you with Dave Erickson of Shook, Hardy & Bacon, as well as Rob Law and Bill Potter of de maximis, inc. by way of this email. Dave, Rob, and Bill are the best people to work with you on the fulfillment of this request. For your convenience, I have included their contact information below.

Please do not hesitate to contact me with any other requests or follow-up inquiries.

Best regards,

Maureen

**David R. Erickson**  
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**Robert Law, Ph.D.**

*de maximis, inc.*

[rlaw@demaximis.com](mailto:rlaw@demaximis.com)

Voice: 908-735-9315

Fax: 908-735-2132

**From:** Donohue, Brian (ENRD) [<mailto:Brian.Donohue@usdoj.gov>]

**Sent:** Tuesday, May 12, 2015 2:54 PM

**To:** O'Dea Brill, Maureen

**Cc:** Hyatt, Jr., William; Reyhan Mehran - NOAA Federal; Clay Stern; Barash, Mark; Kate Barfield - NOAA Federal

**Subject:** RE: Sample Disposal

Dear Maureen – Thank you for your quick response. To aid the federal trustees in determining which samples to request, however, we will need the following information:

- Sample collection location (latitude/longitude)
- Whether the sample has been analyzed (analyzed or unanalyzed)
- Storage (frozen or refrigerated)
- Container size
- Remaining sample volume

We appreciate your attention to this matter. Thank you.

Regards,

Brian Donohue

Senior Attorney

U.S. Department of Justice

(202) 514-5413

**From:** O'Dea Brill, Maureen [<mailto:Maureen.ODeaBrill@klgates.com>]

**Sent:** Wednesday, May 06, 2015 2:43 PM

**To:** Donohue, Brian (ENRD)

**Subject:** RE: Sample Disposal

Dear Mr. Donohue,

Thank you for calling our attention to the sample list on the CPG's website. That list was posted in error. The correct list, which will replace the incorrect list on the website, is attached to this email.

Please let me know if you have any further questions.

Best regards,

Maureen



Maureen O'Dea Brill

K&L Gates LLP  
Market Square Plaza  
17 North Second Street, 18th Floor  
Harrisburg, Pennsylvania 17101  
Phone: 717.231.5832  
Fax: 717.231.4501

[Maureen.O'DeaBrill@klgates.com](mailto:Maureen.O'DeaBrill@klgates.com)

[www.klgates.com](http://www.klgates.com)

**From:** Donohue, Brian (ENRD) [<mailto:Brian.Donohue@usdoj.gov>]  
**Sent:** Tuesday, May 05, 2015 1:58 PM  
**To:** Hyatt, Jr., William  
**Cc:** Reyhan Mehran - NOAA Federal; Clay Stern; Barash, Mark; Kate barfield  
**Subject:** Sample Disposal  
**Importance:** High

Bill – Re the Notice of Sample Disposal on the CPG website, there is reference to sediment and tissue samples. However, the lists on the website, and those provided in the Notice, don't seem to deal with sediment and tissue samples which are also the subject of the Notice. Would you direct us to/provide us the list of those samples that identifies the individual samples, medium, remaining volume, container size, and method of storage (e.g., temperature)? The federal trustees need that information in order to make an informed decision on the CPG's proposed disposal, including whether the destruction/disposal of the sediment and tissue samples comports with the Federal Rules. Thanks for your assistance.

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Mail Gate made the following annotations on Wed May 13 2015 08:50:10

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Mail Gate made the following annotations on Thu May 21 2015 10:05:27

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